

Article 6. Standards for Destination Facilities

§66273.60. Applicability.

(a) Except as provided in subsections (b) and (c) of this section, the owner or operator of a destination facility (as defined in section 66273.9) is subject to all applicable requirements of chapters 14, 15, 16, 18, 20, and 22 of this division, and the notification requirement pursuant to Health and Safety Code section 25153.6.

(b) The owner or operator of a destination facility that recycles a universal waste that is a RCRA hazardous waste by conducting one or more of the management activities described in section 66273.33, subsections (a)(2)(A), (B), (E) and (F), section 66273.33, subsection (b)(3), and/or section 66273.33.5, subsections (a) through (c), may manage that universal waste pursuant to the reduced requirements specified in this chapter for universal waste handlers.

(c) The owner or operator of a destination facility that complies with subsection (a) of this section, and that treats and/or recycles a universal waste that is a non-RCRA hazardous waste by conducting one or more of the management activities described in section 66273.72, subsection (b), section 66273.72, subsection (c), section 66273.73, subsection (a)(1)(A) and/or section 66273.73, subsection (b)(1) shall be eligible to store that universal waste prior to treatment of the universal waste in accordance with the reduced requirements specified in this chapter for universal waste handlers provided such storage and accumulation occur in areas designated for universal waste storage in the facility's permit. Facilities authorized to conduct these treatment activities on the effective date of these regulations and operating under permits issued prior to the effective date of these regulations shall request a Class 1 modification to their permits to address the universal waste handling activities and designate the universal waste storage locations. This request for a Class 1 modification shall be made pursuant to section 66270.42, subsection (d) for modifications to facility permits that are not listed in Appendix I of chapter 20 of this division.

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25219.1 and 58012, Health and Safety Code.

Reference: Sections 25141, 25150, 25159.5, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.60.

HISTORY

1. New article 5 (sections 66273.60-66273.62) and sectionfiled 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.
2. New article 5 (sections 66273.60-66273.62) and sectionrefiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.
3. New article 5 (sections 66273.60-66273.62) and sectionrefiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.
4. New article 5 (sections 66273.60-66273.62) and sectionrefiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.
5. New article 5 (sections 66273.60-66273.62) and sectionrefiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.
6. New article 5 (sections 66273.60-66273.62) and sectionrefiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 11-2-2001 order transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).
8. Amendment of subsection (a) and amendment of Note filed 2-3-2003; operative 2-3-2003 (Register 2003, No. 6).
9. Amendment renumbering article 5 to article 6 and amending sectionfiled 2-4-2009; operative 2-4-2009 (Register 2009, No. 6).

§66273.61. Offsite Shipments.

(a) The owner or operator of a destination facility is prohibited from sending or taking universal waste to a place other than a universal waste handler, another destination facility, or a foreign destination.

(b) The owner or operator of a destination facility may reject a shipment containing universal waste, or a

portion of a shipment containing universal waste. If the owner or operator of the destination facility rejects a shipment or a portion of a shipment, the owner or operator shall contact the shipper to notify the shipper of the rejection and to discuss reshipment of the load. The owner or operator of the destination facility shall:

- (1) Send the shipment back to the original shipper; or
- (2) If agreed to by both the shipper and the owner or operator of the destination facility, send the shipment to another destination facility.
- (c) If the owner or operator of a destination facility receives as universal waste, a shipment containing hazardous waste that is not a universal waste, the owner or operator of the destination facility shall immediately notify the Department of the illegal shipment, and provide the name, address, and telephone number of the shipper. The Department will provide instructions for managing the hazardous waste.
- (d) If the owner or operator of a destination facility receives as universal waste, a shipment of nonhazardous waste, the owner or operator shall manage the nonhazardous waste in any way that is in compliance with applicable federal, state and local solid waste regulations.

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25219.1 and 58012, Health and Safety Code.
Reference: Sections 25141, 25150, 25159.5, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.61.

HISTORY

1. New section filed 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.
4. New section refiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.
5. New section refiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.
6. New section refiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 11-2-2001 order, including amendment of Note, transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).
8. Amendment of section heading and section filed 2-4-2009; operative 2-4-2009 (Register 2009, No. 6).

§66273.62. Tracking Universal Waste Shipments.

(a) The owner or operator of a destination facility shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received shall include the following information:

- (1) The name and address of the universal waste handler, destination facility, or foreign shipper from which the universal waste was sent;
 - (2) The quantity of each type of universal waste received (e.g., batteries, thermostats, lamps, electronic devices, CRTs, CRT glass);
 - (3) The date of receipt of the shipment of universal waste.
- (b) The owner or operator of a destination facility shall retain each record described in subsection (a) of this section for at least three years from the date of receipt of the corresponding shipment of universal waste.

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25219.1 and 58012, Health and Safety Code.
Reference: Sections 25141, 25150, 25159.5, 25219, 25219.1 and 25219.2, Health and Safety Code; 40

CFR Section 273.62.

HISTORY

1. New section filed 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.
4. New section refiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.
5. New section refiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.
6. New section refiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 11-2-2001 order, including amendment of Note, transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).
8. Amendment filed 2-4-2009; operative 2-4-2009 (Register 2009, No. 6).